

Attachment 1

Affidavit, Search Warrant,
& Return

STATE OF MICHIGAN, COUNTY OF MUSKEGON} SS

AFFIDAVIT FOR SEARCH WARRANT

September 17, 2015, Detective/Lieutenant Mike Anderson, AFFIANT APPEARS BEFORE THE UNDERSIGNED MAGISTRATE AUTHORIZED TO ISSUE WARRANTS IN CRIMINAL CASES AND MAKES THIS AFFIDAVIT IN SUPPORT OF THE ISSUANCE OF A SEARCH WARRANT TO SEARCH THE FOLLOWING DESCRIBED PREMISES AND/OR PERSON(S): 7625 Caterpillar Court SW, Grand Rapids, 49548, room 106, further described as the Quality Inn Motel, and any and all vehicles located at 7625 Caterpillar Court associated with, registered to, or occupied by the occupants or residents of room 106 of the Quality Inn. 7625 Caterpillar Court is more fully described as a multi-unit motel structure, multi story, with numbers affixed to the doors of the individual rooms. 7625 Caterpillar Court is located on the west side of Caterpillar Court, south of 76th Street, bearing a sign which reads Quality Inn in front of the building

AND TO THERE SEIZE, SECURE, TABULATE AND MAKE RETURN ACCORDING TO LAW THE FOLLOWING PROPERTY AND THINGS: Firearms, including but not limited to handguns, ammunition, proof of residency, cellular phones and the contents of those cellular phones

AFFIANT SAYS THAT HE HAS PROBABLE CAUSE TO BELIEVE THAT THE ABOVE-LISTED THINGS TO BE SEIZED ARE NOW LOCATED UPON THE ABOVE DESCRIBED PREMISE(S)/PERSON(S), BASED UPON THE FOLLOWING FACTS:

1. Affiant is an officer with 19 years experience, currently employed by the Michigan State Police. Affiant is currently assisting into the investigation into three separate homicides which took place on August 30, 2015, September 4, 2015, and September 5, 2015, respectively, all in the City of Muskegon Heights.
2. Affiant has reviewed the attached search warrant and affidavit, Exhibit "A", and incorporates by reference the information contained therein. Affiant assisted in the execution of the attached search warrant and is aware, as a result, that a black/female, identified as Brittany Kelsey, was located inside the residence at the time the search warrant was executed. Affiant is aware that on September 11, 2015, Brittany Kelsey testified pursuant to investigative subpoena regarding the events of at least one of the above referenced homicides. During that testimony, Kelsey indicated that over Labor Day weekend, September 5/6, Kelsey spent time in the Grand Rapids area visiting with family. While there, Kelsey was staying in a motel, although Kelsey could not recall the name of the motel. Kelsey indicated that Jeremy Morton was already at the motel at the time Kelsey was there and Morton had his own room. Kelsey further indicated Morton was at the motel with Shamarea Salazar, whom Kelsey identified as Morton's girlfriend.
3. Affiant is also aware that during the investigation into these homicides, a warrant has been issued for Josiah Fousse on a charge of Assault with Intent to Commit Murder against Marlon Gresham for the August 30, 2015 incident. Affiant is also aware that a search warrant was obtained to "ping" Fousse's cellular phone to identify his whereabouts. Affiant received information that over the past 72 hours, Fousse's cellular phone has been located in proximity to 7625 Caterpillar Court. On September 16, 2015, Affiant began checking hotel/motel records in the Grand Rapids area, and located a record for Salazar, showing Salazar is checked into the Quality Inn, 7625 Caterpillar Court, room 106, and was registered through at least today's date. Affiant personally observed the above described premises. On today's date, Affiant is aware Trooper Thompson made contact with motel staff who indicated the cleaning staff for the motel knocked on the door to 106 advising checkout time was approaching. A male voice advised someone would be down to add additional nights. Shortly thereafter, a black/female, identified as Salazar, came to the office and paid for additional nights at the motel.


 Detective/Lieutenant Mike Anderson

SUBSCRIBED AND SWORN TO BEFORE ME AND ISSUED UNDER MY HAND ON September 17, 2015.


 Prosecuting Attorney


 60TH DISTRICT COURT JUDGE

STATE OF MICHIGAN, COUNTY OF MUSKEGON} SS

AFFIDAVIT FOR SEARCH WARRANT

September 17, 2015, Detective Jennifer Rhyndress, AFFIANT APPEARS BEFORE THE UNDERSIGNED MAGISTRATE AUTHORIZED TO ISSUE WARRANTS IN CRIMINAL CASES AND MAKES THIS AFFIDAVIT IN SUPPORT OF THE ISSUANCE OF A SEARCH WARRANT TO SEARCH THE FOLLOWING DESCRIBED PREMISES AND/OR PERSON(S): [REDACTED] 7th Street, City of Muskegon, County of Muskegon, State of Michigan, and any and all outbuildings located on the premises and any and all vehicles located on the premises and owned or occupied by the owners or occupants of [REDACTED] 7th Street. [REDACTED] 7th Street is more fully described as a single story, single family dwelling, white in color with tan/beige trim, the numbers [REDACTED] affixed to the front of the residence. [REDACTED] 7th Street is located on the east side of 7th, the [REDACTED] house south of Dale.

AND TO THERE SEIZE, SECURE, TABULATE AND MAKE RETURN ACCORDING TO LAW THE FOLLOWING PROPERTY AND THINGS: Firearms, including but not limited to handguns, ammunition, surveillance cameras, recording equipment and any associated devices for storage of surveillance footage and the contents of those devices, cellular phones and the contents of those cellular phones, proof of residency.

AFFIANT SAYS THAT HE HAS PROBABLE CAUSE TO BELIEVE THAT THE ABOVE-LISTED THINGS TO BE SEIZED ARE NOW LOCATED UPON THE ABOVE DESCRIBED PREMISE(S)/PERSON(S), BASED UPON THE FOLLOWING FACTS:

1. Affiant is a peace officer with 9 years experience, employed by the Muskegon Heights Police Department, currently investigating a homicide which took place on August 30, 2015, in the 600 block of Hovey Street, East Park Manor, in the City of Muskegon Heights, County of Muskegon, State of Michigan.
2. On September 8, 2015, Affiant spoke with Shavonna Stinson, a black/female, and Stinson told Affiant as follows: that the shooting at East Park Manor took place after Stinson and Stinson's friend, Kassandre Brown, got into an altercation with Da'Sha Fields at the Port City Tavern. After the altercation with Stinson, Brown called Jeremy Morton who met with Stinson and Brown at the Dog House Saloon. Stinson identified Darnell Byrd and Josiah Fousse as arriving with Morton to the Dog House Saloon, and Morton was driving a red Mustang. Affiant is aware that Byrd was shot and killed in Muskegon Heights on September 5, 2015. From the Dog House, Stinson, Brown, and Brittany Flowers drove through East Park Manor with Morton following. After driving through East Park Manor, Stinson advised the two vehicles stopped outside the projects and Byrd and Fousse exited the red Mustang with Byrd carrying a firearm. Byrd and Fousse then went into East Park Manor and Morton advised Stinson and Brown to get out of the area. Shortly after leaving, Stinson heard gunshots. Affiant is aware that the red Mustang is observed on video from East Park Manor, and the shooting takes place shortly thereafter. Stinson further indicated after the shooting, Stinson met back up with Morton, and Morton advised Stinson that Morton had just dropped off Byrd at the hospital because Byrd had been shot, and Morton gave Mike White a gun to hold that had been used in the shooting. Stinson knows White stays at [REDACTED] 7th Street. Stinson also advised Morton sleeps at the [REDACTED] 7th Street house also. Stinson advised the [REDACTED] 7th Street house is equipped with surveillance cameras, and that there is a hidden passage in the back of the house in which things can be hidden, or a person can exit the house without being noticed.
3. Affiant has observed the above described premises and states that it is consistent with the above described premises.

JS/
Detective Jennifer Rhyndress

SUBSCRIBED AND SWORN TO BEFORE ME AND ISSUED UNDER MY HAND ON September 17, 2015.

JS/
Prosecuting Attorney

JS/
60TH DISTRICT COURT JUDGE

EXHIBIT "A"

STATE OF MICHIGAN, COUNTY OF MUSKEGON} SS

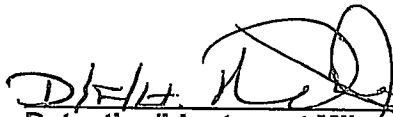
SEARCH WARRANT

TO THE SHERIFF OR ANY PEACE OFFICER OF SAID COUNTY: THE AFFIDAVIT BELOW having been sworn to by Affiant, Detective/Lieutenant Mike Anderson, before me this day, based upon the facts stated therein, probable cause having been found, in the name of The People of the State of Michigan:

I COMMAND THAT YOU ENTER AND SEARCH THE FOLLOWING DESCRIBED PREMISES AND PERSON(S):

7625 Caterpillar Court SW, Grand Rapids, 49548, room 106, further described as the Quality Inn Motel, and any and all vehicles located at 7625 Caterpillar Court associated with, registered to, or occupied by the occupants or residents of room 106 of the Quality Inn. 7625 Caterpillar Court is more fully described as a multi-unit motel structure, multi story, with numbers affixed to the doors of the individual rooms. 7625 Caterpillar Court is located on the west side of Caterpillar Court, south of 76th Street, bearing a sign which reads Quality Inn in front of the building.

AND TO SEIZE, SECURE, TABULATE AND MAKE RETURN ACCORDING TO LAW THE FOLLOWING PROPERTY AND THINGS: Firearms, including but not limited to handguns, ammunition, proof of residency, cellular phones and the contents of those cellular phones.



Detective/Lieutenant Mike Anderson

THE FACTS HAVING BEEN SWORN TO BY AFFIANT IN AN AFFIDAVIT IN SUPPORT OF THE ISSUANCE OF THIS WARRANT, IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, I FIND THAT PROBABLE CAUSE EXISTS AND ISSUANCE OF THIS SEARCH WARRANT IS AUTHORIZED. ISSUED UNDER MY HAND ON September 17, 2015.



60TH DISTRICT COURT JUDGE

ORDER SUPPRESSING AFFIDAVIT PURSUANT TO MCLA 780.654(3)

A showing having been made pursuant to MCLA 780.654(3) that it is necessary to protect an ongoing investigation, it is ordered that the affidavit in the matter of the search of 7625 Caterpillar Court, Room 106 be suppressed and not given to the person whose property was seized or left at the premises searched until that person is charged with a crime related to this search warrant or named as a claimant in a civil forfeiture proceeding involving evidence seized as a result of this search. The original affidavit in this matter is ordered to be filed and kept in a suppressed file at the 60th District Court until further order of the court.


ISSUED UNDER MY HAND ON September 17, 2015.

60th District Court Judge

Michigan State Police 6th District S.I.S. Evidence Tabulation FormSuspect: Fousse ET AL Date/Time: 9/17/15 2pmAddress: 76th st Quality Inn #106 Comp # 60-827/828-15Search Warrant ☒ Consent ☐ Other: ☐ Page: 1/1

#	Description of Item:	Location	Found By
1	LG Phone BIK	Morton Person	Harris
2	LG Phone Red CASE	Fousse Person-Hotel	Christiansen
3	LG Phone White CASE	Burns Person Hotel	Harris
4	LG Phone - Destroyed	Hotel-NE corner red bag	Christiansen
5	BLACK FACE MASK	" "	Christiansen
6	White Note PAPER - Hotel w/ Phone # on it	Hotel-South Wall table	Harris
7	Pair of Blue Size 32 pants "Robins Jeans"	Floor s/w corner Hotel	Harris
8	Dread Loc Found in Above Listed Blue pants	" "	" "
9	Green Dot Gold VISA Debit Card # [REDACTED] - in pants	" "	" "
10	Quantity of U.S. Currency	Morton Person	Hartman
11	Corner tie baggie w/ Residue	SWall behind TV - Hotel	Anderson
12	MARIJUANA Blunt	Nightstand N Wall	Hartman